

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

AMSOUTH BANK, an Alabama  
banking corporation,,

Plaintiff,

vs.

Case No. CIV 06-0722-JTM-ACT

MISSISSIPPI CHEMICAL  
CORPORATION, MISSISSIPPI POTASH,  
INC., CHARLES OWEN ENGINEERING,  
LLC, a Mississippi limited liability company,  
TERRA INDUSTRIES, INC., an Iowa  
corporation, and UNITED STATES FISH  
AND WILDLIFE SERVICE for the District  
of New Mexico,

Defendants.

MEMORANDUM AND ORDER

On August 29, 2006, the present matter was transferred to the undersigned, “[b]ecause the United States Probation Office for the District of New Mexico is a party in this case.” (Dkt. No. 10, at 1). Following the transfer of the action, the United States Probation Office was dismissed from the case on the grounds of sovereign immunity. (Dkt. No. 20). The Probation Office was accordingly terminated from the action. None of the parties moved for reconsideration of the court’s order, which is now the law of the case. The Amended Complaint filed by the plaintiff after the court’s order does not list the Probation Office as a defendant. (Dkt. No. 21).

The United States Probation Office for the District of New Mexico is no longer a party in this case and no basis exists for a resolution of this action by the undersigned. The Clerk of the Court is therefore directed to reassign this case accordingly.

IT IS SO ORDERED this 9<sup>th</sup> day of May, 2007.

s/ J. Thomas Marten  
J. THOMAS MARTEN, JUDGE